

Remarks

Applicants respectfully request reconsideration of the rejection of the claims in view of the above amendments and the remarks set forth below. Claims 1-48 remain in the application. Claims 9-12 remain unchanged. Claims 1-8 and 13-15 were previously amended. Claims 16-48 were previously presented.

Claim Rejections

Claims 1-48 were rejected as being based upon a defective reissue declaration. In response to the rejection, a new declaration is submitted herewith. Applicant respectfully submits that the rejection is overcome.

Claim Objections

Claims 1-48 were objected to under 37 CFR 1.172(a) because the original consent no longer appeared to be valid since Gyration has assigned to Thomson Licensing. In response to the objection, a new consent accompanied by a 3.73(b) statement by Thomson licensing is provided. Applicant respectfully requests that the objection to the claims be withdrawn.

The office action indicated that there appeared to be no chain of title from Gyration to Thomson. Applicant respectfully notes that the new 3.73(b) statement lists the reel and frame number of the assignment from Thomas J. Quinn to Gyration and that a copy of the assignment from Gyration to Thomson is also provided.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (818) 260-3727, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fees, other than those discussed above, are believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,



By: Vincent E. Duffy

Reg. No. 39,964

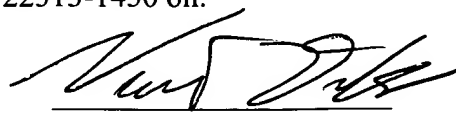
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Patent Operations
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January 30, 2009

CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

1/30/09
date


Vincent E. Duffy